

IN RE: PETITION FOR ZONING VARIANCE  
E/S Graves Run Road, 1500' N  
of Church Road  
(20005 Graves Run Road)  
6th Election District  
3rd Councilmanic District  
John Graves, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 89-399-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit an accessory structure (detached garage) with a height of 22 feet in lieu of the permitted 15 feet in accordance with Petitioner's Exhibit 1.

The Petitioners, by John Graves, appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of April, 1989 that the Petition for Zoning Variance to permit an accessory structure (detached garage) with a height of

22 feet in lieu of the permitted 15 feet in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3333

J. Robert Haines  
Zoning Commissioner

Mr. & Mrs. John Graves  
20005 Graves Run Road  
Hampstead, Maryland 21074

RE: PETITION FOR ZONING VARIANCE  
E/S Graves Run Road, 1500' N of Church Road  
(20005 Graves Run Road)  
6th Election District - 3rd Councilmanic District  
John Graves, et ux - Petitioners  
Case No. 89-399-A

Dear Mr. & Mrs. Graves:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

cc: People's Counsel

File



Dennis F. Rasmussen  
County Executive

### PETITION FOR ZONING VARIANCE 89-399-A

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.1 To allow an accessory structure (detached garage) with a height of 22 ft. in lieu of the permitted 15 ft.

- 1) Original contractor (Master Garage Builders) obtained building permit without indicating true height of proposed garage.
- 2) Second contractor (S.W. Besky Const. Co.) built garage not realizing height restriction applied.
- 3) Extra height added to maximize storage space. (S. Graves is 6'5" tall).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):	MAP 20035
(Type or Print Name)	John Graves	2F
Signature	(Type or Print Name)	E. D. 4
Address	John Graves	DATE 1/1/89
City and State	Annelle Graves	200
	(Type or Print Name)	1000
	Charlotte Graves	8F
	Signature	DP
Attorney for Petitioner:	Address	NJ 36,940
(Type or Print Name)	20005 Graves Run Rd.	237-6877
Signature	Hampstead, MD 21074	Phone No.
Address	City and State	
City and State	Name, address and phone number of legal owner, contract purchaser or representative to be contacted	
Attorney's Telephone No.:	John Graves	
	20005 Graves Run Rd.	
	Hampstead, MD 21074	237-6877
	Address	Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of April, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, the property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 17th day of April, 1989, at 2 o'clock P.M.

*J. Robert Haines*  
Zoning Commissioner of Baltimore County.

(over)

### CERTIFICATE OF PUBLICATION

TOWSON, MD., March 17, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 16, 1989.

TOWSON TIMES,

*S. Zafe Olson*  
Publisher

PO 10815  
reg 122078  
price \$9529

### CERTIFICATE OF PUBLICATION

TOWSON, MD., March 17, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 16, 1989.

THE JEFFERSONIAN,

*S. Zafe Olson*  
Publisher

PO 10815  
reg 122078  
price \$9529

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

Mr. & Mrs. John Graves  
20005 Graves Run Road  
Hampstead, Maryland 21074

Re: Petition for Zoning Variance  
CASE NUMBER: 89-399-A  
E/S Graves Run Road, 1500' N Church Road  
20005 Graves Run Road  
6th Election District - 3rd Councilmanic  
Petitioner(s): John Graves, et ux  
HEARING SCHEDULED: TUESDAY, APRIL 4, 1989 at 2:00 p.m.

Dear Mr. & Mrs. Graves:

Please be advised that \$40.27 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE 4-4-89 ACCOUNT R-1-115-060

AMOUNT \$ 110.27

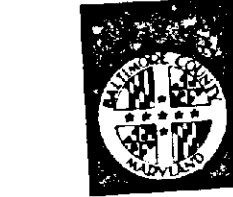
RECEIVED FROM John Graves - tax

FOR Posting & Advertising (87-377-A)

8 B 100\*\*\*\*\*110291A 40428

VALIDATION OR SIGNATURE OF CASHIER

DATE CASHIER PERS. AGENCY YELLOW - CASHIER



Dennis F. Rasmussen  
County Executive

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

March 3, 1989

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
CASE NUMBER: 89-399-A  
E/S Graves Run Road, 1500' N Church Road  
20005 Graves Run Road  
6th Election District - 3rd Councilmanic  
Petitioner(s): John Graves, et ux  
HEARING SCHEDULED: TUESDAY, APRIL 4, 1989 at 2:00 p.m.

Variance to allow an accessory structure (detached garage) with a height of 22 ft. in lieu of the permitted 15 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner of Baltimore County

cc: Mr. & Mrs. Graves

File

APRIL 4, 1989 89-399-A

Maryland Department of Transportation  
State Highway Administration

Richard H. Trainor  
Secretary  
Hal Kacsoff  
Administrator

June 9, 1989

Paul Lee Engineering, Inc.  
304 W. Pennsylvania Avenue  
Towson, Maryland 21204  
Attn: Mr. Paul Lee

Re: Baltimore County  
Pearce/Blacklock Property  
E/S Harford Road  
(MD 147) 100' North of  
Cub Hill Road  
Zoning Item #320

Dear Mr. Lee:  
We are revising our comments dated December 14, 1988 concerning access to this site.

We initially had concern about the inadequate roadway frontage for this site based on an existing 30' right-of-way (15' half section) on Harford Road. However, we currently have a highway widening project on Harford Road nearing advertisement for which we will be acquiring additional right-of-way. Once this right-of-way is acquired by the State Highway Administration, there will be adequate frontage along this property to provide access to this project.

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,

*Gregory J. Mills, Jr.*  
Gregory J. Mills, Jr., Chief  
Engineering Access Permits  
Division

LB:maw

cc: Ms. Phyllis Cole Friedman  
Mr. Robert Haines  
Mr. J. Ogile

RECEIVED  
JUN 12 1989

ZONING OFFICE

My telephone number is (301) 333-1350

Teleprinter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717



